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How Public Remarks Became Classified Data

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WASHINGTON, Feb. 19 — The Government has long made liberal use of its authority to classify information as "secret." But a question has arisen over whether it recently went a few steps too far.

The Pentagon sought to classify information on nuclear testing issues that senior Administration officials originally provided in a public Congressional hearing. It also sought to classify some of the questions that were asked by members of Congress at that public hearing, Congressional aides say.

The Senate Armed Services Committee, which held the hearing, went along with the request. As a result, the committee's published hearing record has gaping deletions.

The Senate Foreign Relations Committee, which has also held hearings on nuclear testing issues, has not deleted any material from its public hearing records. But that committee has allowed the Pentagon to retroactively modify the remarks of a senior military official in a way that alters the meaning of the comments.

Soviet Tests Are at Issue

The information that the Pentagon successfully sought to keep out of the public Congressional records concerns the hotly debated question of whether the Soviet Union is adhering to two 1970's treaties that limit the size of underground explosions. Many experts, including specialists at the Government's Lawrence Livermore National Laboratory, say there is strong evidence that Moscow has been abiding by the treaties, which have never been ratified by the United States. But the Reagan Administration has repeatedly taken the position that Moscow is "likely" violating the agreements.

The Administration's case appeared to weaken when The New York Times and other news organizations reported last year that the Central Intelligence Agency had decided that its previous estimates of the size of Soviet nuclear tests were too high. The press reports said the agency had decided to change the way it calculates the size of Soviet blasts, and further said President Reagan had asked for a study on how the new calculations would affect past contentions that the Russians were probably cheating.

These reports were very much on the mind of some members of the Armed Services Committee when senior officials appeared before the panel last April 29. The hearing was open to the public, and a number of reporters were there.

In the session, Senator Carl Levin, a Michigan Democrat, asked a num-

ber of questions about the C.I.A.'s decision, citing the press reports.

According to notes taken at the hearing by Congressional aides, senior Administration officials publicly confirmed the reports. Specifically, the notes show, Kenneth L. Adelman, director of the Arms Control and Disarmament Agency, said that estimates of the size of Soviet tests had been lowered by 20 to 30 percent, and he acknowledged that Mr. Reagan had ordered a study. The Congressional aides also say that Richard N. Perle, an assistant Secretary of Defense for international security policy, indicated at the hearing that he opposed the C.I.A.'s decision and gave his rationale for doing so.

But when the Armed Services Committee issued its printed record of the session, this material had been deleted, and other details were also missing. The committee's published record even omitted parts of some of Senator Levin's questions.

In addition, the committee's printed record incorrectly said that the discussions had taken place in a closed, secret session and not at an open hearing. Yet it quotes witnesses as referring to the hearing as being public.

Asked about the deletions, committee staff members said that it was unusual to omit material from a public hearing but that the deletions appear to have been made at the request of the Pentagon on the ground that publication of the information would hurt national security.

A Pentagon spokesman acknowledged today that it had sought some deletions in Mr. Perle's remarks but that it did so as part of a routine security review after being told by the committee that the testimony had been provided in a closed session.

In any event, there is a question as to whether the material should have been deleted for security reasons.

Committee staff members note that the Arms Control and Disarmament Agency also reviewed the hearing record and later sent a letter to the panel asserting that there was no need for any deletions. A spokesman for the agency, characterizing the transcript as that of a public hearing, said: "ACDA reviewed the transcript on security grounds and had no problem with it. We certified that it was O.K. to print it."

Some committee members say they were not aware of the deletions and now have serious doubts about whether they were justified.

"I am deeply disturbed by the deleting of portions of my questions, which were based on statements in a

newspaper article." Mr. Levin said. He added that he was not opposed to selectively censoring a record of an open hearing in which some official inadvertently disclosed sensitive information. But he said he was concerned about the extent of the deletions in the committee's report. He also said the deletions concerning Mr. Perle's opposition to the C.I.A. decision might have been sought so as to discourage reports about divisions within the Administration and were not in fact requested on valid national security grounds.

Senator Edward M. Kennedy, another member of the committee, also criticized the deletions. He asserted they had been made to suppress "indications" that the Soviet Union was complying with the testing treaties.

Other members of Congress have also questioned the deletions.

Representative Edward J. Markey, a Massachusetts Democrat who opposes testing, complained that the deletions were not needed for security reasons. "Everyone knows that there is at least one Tass reporter at all of these hearings," he said, adding that things the Russians already know about are being kept from the American public.

The Case of Admiral Crowe

Congressional aides say the Armed Services Committee is not the only Congressional panel to alter its published hearing record.

They say Adm. William J. Crowe Jr., chairman of the Joint Chiefs of Staff, was asked about the C.I.A. decision when he appeared before the Foreign Relations Committee May 8 and that his actual responses were modified in the published record.

According to a transcript of the session made available to a reporter, Senator John Kerry, a Massachusetts Democrat, asked Admiral Crowe if he was aware that the C.I.A. had lowered its estimates of the size of Soviet nuclear tests. "Yes, I am aware of that, sir," the officer replied.

But in the published hearing record, Admiral Crowe's response was changed so as to read that he was only "aware of some public statements" about the C.I.A. move. That seemed to suggest that Admiral Crowe did not confirm the C.I.A. move.